

## COMMISSION MEETING MINUTES

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 W. Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

September 1, 2015

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on September 1, 2015.

(a) Commissioners present at the Commission meeting:

Ron Brown  
Gregory Furnish  
Kevin Goeden, representing the Commissioner, Department of Labor  
John Hawkins, Chairman  
Randy Snyder, representing the Commissioner, Department of Health  
James Hoch  
James Jordan  
Matt Mitchell  
Patrick Richard  
Jessica Scheurich  
Craig Von Deylen

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services  
  
Pamela Walters, Staff Counsel  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
Beth Sutor, Secretary  
James Schmidt, Deputy Attorney General

## 2. Old Business

Chairman Hawkins called for any corrections or a motion for approval for the August 4, 2015, minutes. Commissioner Mitchell moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

## 3. Variances

Chairman Hawkins introduced the amended format of the agenda. He explained that it was an attempt to make it easier for those attending the meeting to follow along. He noted that tabled variances would be heard first, with "A/B" category next, then "C", the new category called "L" and that the incomplete applications would be last.

### Tabled Variances

#### 15-06-35 Studio 321 Performance Seating, Evansville

The proponent had requested this be tabled once again. Commissioner Mitchell moved to table, with the second by Commissioner Richard. It was voted upon and carried.

#### 15-07-07 Hill's Market, Ft. Wayne

The proponent had withdrawn the application.

#### 15-08-06 Reinstalling Paint Booth PBS1429FT, Mishawaka

The owner had withdrawn the application.

#### 15-08-08 Hampton Inn and Suites, Michigan City

No proponent was present. Commissioner Richard moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

#### 15-08-09 Co-Alliance LLP, Thorntown

Monty Hayes spoke as proponent. Two storage tanks were going into propane service, having been used for ammonia service. The tanks were too close to comply with requirements for propane service per NFPA 58, lacking two additional feet. Following

discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

15-08-17 Lincoln Industries Warehouse Addition, Boonville

The proponent had requested the application be tabled. Commissioner Richard moved to table, with the second by Commissioner von Deylen. It was voted upon and carried.

15-08-10 O'Bannon Woods Group Camp Kitchen Addition, Corydon

Carol French, Dept. of Natural Resources, Division of Engineering, spoke as proponent. The existing group camp dining hall was replacing the kitchen, and building an addition. They were told they must now sprinkler the building. The request was to omit sprinklers. The dining hall has six exits within a 25 foot travel distance. The kitchen currently has residential-type appliances, though they do plan to install commercial grade with hoods in the future. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

15-08-27(e) Morton Senior Apartments, Indianapolis

Ed Rensink, proponent, withdrew the variance.

15-08-38(b) Grace College Student Housing, Winona Lake

The application had been withdrawn by the owner.

15-08-48 Storage of America Shadeland, Indianapolis

Nancy Long and Marcus Krouch, A-1 Expeditors, spoke as proponents. The request was to omit restrooms in the facility. There would be no heat or water, and no employees would be stationed there. The buildings are made of metal, and only electricity is to be provided. Following a discussion of which code the project had been filed under, Commissioner Von Deylen moved no variance required, with the second by Commissioner Hoch. It was voted upon and carried.

Regular Variances

Chairman Hawkins called for any variances in the block vote to be called out. There were none. Commissioner Brown requested a separate vote for 15-09-19 McDonalds Shelbyville ACI 11020,

Shelbyville, 15-09-54(d) Tilfert Lake School, Shipshewana, and 15-09-55(d) Pheasant Trail School, Topeka. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried, with one nay vote. Commissioner Mitchell then moved to approve the remaining "A" and "B" variances, with the second by Commissioner Von Deylen. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 15-09-04 Proposed Offices for Louis Schlesz, Indianapolis
- (2) 15-09-05 Culver Hegelar-Argonne, Culver
- (3) 15-09-06 Beachfront Pavilion, Chesterton
- (4) 15-09-07 IMS Grandstands Renovations, Speedway
- (5) 15-09-08 Window Egress, Bloomington
- (6) 15-09-09 St. Vincent House, Indianapolis
- (7) 15-09-10(a)(b) American Red Cross, Indianapolis
- (8) 15-09-11 IPL Arlington Avenue Facility Door Security, Indianapolis
- (9) 15-09-12 IPL Electric Building Door Security, Indianapolis
- (10) 15-09-13 IPL Harding Street Facility Door Security, Indianapolis
- (11) 15-09-14 IPL Morris Street Facility Door Security, Indianapolis
- (12) 15-09-16 IPL Eagle Valley Facility Door Security, Martinsville
- (13) 15-09-17(a)(c) Subaru of Indiana Automotive Warehouse 11, Lafayette
- (14) 15-09-46 INDOT Logansport Salt Building PWP 15 004 C1, Logansport
- (15) 15-09-48(a)(b) Taylor University Campus Center, Upland
- (16) 15-09-49(a)(b) 500 Park Residences, Indianapolis
- (17) 15-09-53(a)(b) D&L Metal, LaGrange
- (18) 15-09-54(a)(b)(c) Tilfert Lake School, Shipshewana
- (19) 15-09-55(a)(b)(c) Pheasant Trail School, Topeka
- (20) 15-09-57(a)(b) Roche Forum Building, Indianapolis
- (21) 15-09-58 Lake Michigan Ecological Research Center, Chesterton

The following variances were heard separately:

- (22) 15-09-02 Wicker Room Addition, Greenwood

Lowell Weber, Greenwood Building Commissioner, advised the Commission that the owner had been delayed by traffic, and asked that they be moved to a lower spot on the agenda. Chairman Hawkins agreed.

- (23) 15-09-15 Gleaners Food Bank, Indianapolis

The proponent had not yet arrived to present the variance. It was moved to later on the agenda.

- (24) 15-09-17(b)(d)(e)(f) Subaru of Indiana Automotive Warehouse 11, Lafayette

Christina Colleter, RTM Consultants, spoke as proponent. Also present was Ron Ritchey, Lafayette Fire Department. The request in (d) was to allow the roof insulation to be 2 inches thick to match the existing roof instead of the required 4 inches. Commissioner Hoch moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. The request in variance (e) was to omit the restrooms and drinking fountains in the warehouse addition. The five to six employees, forklifts drivers, will use the restrooms in the existing facility which serve the neighboring warehouse. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (b) was to allow strobes and secondary power supply to not comply with code. The amendments deleted the section which allowed alternative power supplies. Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (f) was to allow the exit travel distance to exceed the code compliant 250 feet. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (25) 15-09-15 Gleaners Food Bank, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to be allowed to allow the second exit for the lobby addition to go through an intervening room being used as a pantry area / warehouse area in the sprinklered building. The proponent noted that the shelving of the pantry area would define the clear aisles for exiting, and the warehouse area would have stripes on the floor to define the exit pathway. He noted that code interpretations exist allowing exiting through a warehouse. Following discussion with comment by Jeff Dean, City of Indianapolis, Commissioner Von Deylen moved to approve based upon his interpretation that it is a mercantile use, with the second by Commissioner Mitchell. It was voted upon and carried.

- (26) 15-09-02 Wicker Room Addition, Greenwood

Owner Elliott Wicker, spoke as proponent. Also present was Lowell Weber, Greenwood Building Commissioner. The request was to allow an addition, closer to the property line than three feet, to have windows in the wall. He owns the adjacent piece of property, which is governed by a 10 foot set back due to zoning restrictions. Commissioner Jordan moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

- (27) 15-09-20 Batesville House, Lawrenceburg

Marie Gauch, CEO for New Horizons, spoke as proponent. The request was to omit a fire suppression system in a house in Lawrenceburg which will be used as a home designed for

disabled persons in wheelchairs with 24/7 supervision. Following discussion, Commissioner Von Deylen moved to table to allow the proponent to explore options. Commissioner Brown made the second. It was voted upon and carried.

(28) 15-09-21 Circa 2, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a door to the service room for incoming water lines to open into the stair enclosure. A 90 minute rated door will be provided in the sprinklered building. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch made the second. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 10:12 a.m. It was called back to order at 10:26 a.m.

(29) 15-09-22 River North at Keystone Apartments, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The code now requires 18 inches clear space on both the inside and outside of the door into a unit on the latch side of the entry. The Fair Housing act does not require the inside clearance, and the request is to omit the inside clear space. The building is fully sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(30) 15-09-23 The Place, Bloomington

No proponent was available for questions. Commissioner Brown moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

(31) 15-09-24 Fire Damage Re-Build, Indianapolis

Jason Burk, Halstead Architects, spoke as proponent. The owner, Julie Dilley, was also present. During the rebuild of fire damage in the owner's home, an existing concrete stair to the basement was found to have a non-compliant egress pathway width at the top of the basement stair landing, and a riser at the top of the stair which did not follow the rise and run. Following a lengthy discussion, Commissioner Richard moved to approve with the condition that the owner provide 32 inches clearance at the basement opening. Commissioner Von Deylen made the second. It was voted upon and carried with one nay.

- (32) 15-09-25 The Rathskeller, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to omit a Type-1 hood over an existing commercial stove used to warm soup and cook pasta for over twenty years without citation. The building is sprinklered and has a fire alarm. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

- (33) 15-09-26 Emanuel Lutheran Church Admin Addition, New Haven

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit a Type 1 hood, requested by the local fire official, over a domestic stove in the church addition. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Scheurich.

- (32) 15-09-27 Care Source Tenant Finish, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to not maintain the 13<sup>th</sup> floor existing fire-rated elevator lobby vestibule in this sprinklered tenant finish. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (33) 15-09-28 Olive Branch Baptist Church Fellowship Hall, Dillsboro

Tim Callas, J&T Consulting, spoke as proponent. Also present was Pastor Patrick Lanman, Lance Wyse, architect, Jeremy Harson, builder, and Jeff Pervis, water company. An updated application had been passed out by the proponent. To provide water for the sprinkler system, the church would need a well over 250 feet deep or they would have to purchase more land to provide a retention pond for fire department use. The appliances are residential, and there is a mechanical mezzanine which will not be open to the public. Following discussion, Commissioner Von Deylen moved to approve with the condition that a maximum occupancy of 299 be posted, a supervised fire alarm system with horns and strobes is to be installed. Commissioner Hoch made the second. It was voted upon and carried, with one nay.

- (34) 15-09-29(a)(b) the Loft at Walnut Hill Farm, Bedford

Melissa Tupper, RTM Consultants, spoke as proponent. A barn, a Class 2 structure, is to be converted for use as a wedding chapel, a Class 1 structure. Variance (a) was to allow the use of a Chapter 34 evaluation, with a structural evaluation, in the conversion of the barn to a wedding chapel. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance

(b) is to allow a Chapter 34 score of five for the HVAC system without separate systems for each level. Dampers were to be placed at floor penetrations. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

- (35) 15-09-30(a)(b) Porter Lakes Elementary School, Hebron

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) was to omit a sprinkler system in the administration office and vestibule addition. The existing building is not sprinklered. A corridor smoke detection system will be installed. The proponent was unable to give the cost of the sprinkler system, the project budget, or if water was a factor in the request to omit sprinklers. Commissioner Von Deylen moved to table both (a) and (b) to allow the proponent to get the requested information. Commissioner Scheurich made the second. It was voted upon and carried.

- (36) 15-09-32 Harvestime Fellowship Church, Jamestown

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit sprinklers due to an inadequate water supply. There is no kitchen in the building, just a serving counter. The fellowship hall has an occupant load of 300. Following discussion, Commissioner Von Deylen moved to approve with the condition that the occupancy be limited to 300 and the fire barrier is to be a 2-hour fire wall. Commissioner Hoch made the second. It was voted upon and carried with one nay.

- (37) 15-09-33 Lilly K150 Fire Doors, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow fire glazing in a fire door within the fire wall. It was to be ceramic glass. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

- (38) 15-09-34(a)(b) Grand and Main, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to omit the common use showers. The pool is for resident and guest use only. Their apartments are within 300 feet of the pool for showers, but a dressing area and toilet facilities will be provided. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to omit a fence immediately by the pool. There will be a 6 foot fence landscape barrier in the patio/courtyard area, and three sides of the complex will act as barriers as well. There will be no playground equipment. Following discussion, Commissioner Hoch moved to table, with the second by Commissioner Brown. It was voted upon and carried.

- (39) 15-09-35 56 Adams Street Brew House, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. This is a renovation of a tenant space, and a second means of egress is required. The request is to be allowed to use a 3' wide and 12' long run between the Brew House and the neighboring building to access a public way. The proponent stated they would pave or use compacted gravel for the surface. Following discussion, Commissioner Von Deylen moved to approve with the condition that a level, paved surface from the rear exit to the public way be provided. Commissioner Richard made the second. It was voted upon and carried.

- (40) 15-09-36 St. Meinrad Monastery Renovations, St. Meinrad

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also speaking was Tom Blythe, Hafer Associates. An existing infirmary, Type IIIB construction, will have an addition of Type IIB construction, requiring a 4-hour fire wall. The request was to omit the required fire wall and install a 13R system in the infirmary and residential area. Following discussion, Commissioner Brown moved to approve with the condition that a 13R system be installed in all areas except the refectory area. Commissioner Hoch made the second. It was voted upon and carried.

- (41) 15-09-37(a)(b)(c)(d)(e) Merchandise Warehouse Co., Inc., Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also present was Josh Tester and Sam Tippman, Tippman Company. The storage building, an S-2 freezer warehouse for frozen foods, has high pile combustible storage and are required to be sprinklered. The request in variance (a) is to omit sprinklers. The request in (d) is to provide knockout panels instead of man doors for the fire department personnel. These would be outlined and identified on the outside of the building and marked on the inside to keep the area clear of product. Refrigerant lines are located, for the most part, on the roof of the building, with interior pipes welded shut without valves to leak. The outside of the freezer is part of the outside of the building. The rest of the building has a dry pipe sprinkler system with a 3-hour fire wall to separate it, and close space sprinklers at the doors. Margie Bovard, Indianapolis Fire Department, also spoke and opposed the variance. Following discussion, Commissioner Hoch moved to approve with the knockout panel doors are to be clearly marked. Commissioner Jordan made the second. It was voted upon and carried with one nay. Variance (b) was a request for a travel distance of 440 feet in the unsprinklered warehouse. The workers are on forklifts, and spend a minimal amount of time inside the sub-zero freezer area. Variance (c) was a request to exceed the allowable area. Following discussion, Commissioner von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Further discussion of safety concerns and sprinkler issues led the members of the Commission to decide to rescind the variances already approved and table the variances for further information from the proponent. Commissioner Hoch moved to rescind variance (d) with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Von Deylen then moved to rescind

variance (b) with the second by Commissioner Hoch. It was voted upon and carried. Commissioner Scheurich moved to table all the variances, with the second by Commissioner Von Deylen. It was voted upon and carried.

(42) 15-09-61 AI Campus Bunkhouse, Marshall

The proponent had requested the application be tabled. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

(43) 15-09-62 Rocket 88 Doughnuts, Indianapolis

No proponent was available for questions, though he had indicated he would be attending. Chairman Hawkins moved his application to later on the agenda.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 11:57a.m. It was called back to order at 1:05 p.m.

Late Variances

*The following variance applications were given an "L", or late, classification. Agency staff did not have adequate time to review or verify code edition and/or sections. Therefore, agency staff is not able to ensure the accuracy of the application.*

(44) 15-09-38 North Lockerbie Lofts, Indianapolis

Christina Colleter, RTM Consultants, spoke for Ed Rensink, RTM Consultants, who had not yet returned to the meeting. The request was to allow the use of dry sidewall sprinklers for the top balconies of the apartment building which do not maintain the required distance down from heat collection areas. Variances had been granted for this condition before. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(45) 15-09-39(a)(b) Zorn Hotel Tower Building, Michigan City

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) was withdrawn by the proponent. Variance (b) was a request to allow an existing catwalk and stair to be refurbished and made to comply with current code for all but the width. This is a second means of egress for floors two through four of the tower building and floors two and three of the hotel building. Both buildings are sprinklered. Following discussion, Commissioner

Von Deylen moved to approve (b), with the second by Commissioner Mitchell. It was voted upon and carried.

(46) 15-09-40 Central Library Ohio Twp. Public Library, Newburgh

Christina Collester, RTM Consultants, spoke as proponent. Decorative trees have been installed as a design feature, but have been cited as an obstruction to the sprinkler system. The spacing of the sprinkler was designed to allow for spray development to protect the area beneath the trees. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(47) 15-09-41 Jenkins and Nanovic Halls, Notre Dame

Jeff Harper, Jensen Hughes, and Gary Ainge, HBRA Architects, spoke as proponents. The request is to allow the separation between exits in the suite to not comply with code, but to comply with the intent of the code. The administrative wing and the waiting wing will each have separate entry, and will each have less than the maximum allowed 49 occupants. Additional smoke detectors will be provided beyond what is required in the suite, and in the corridors outside the suite. The building is sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

At this point, Chairman Hawkins asked Craig Burgess to stand. He introduced him to the audience as the new head of Plan Review, replacing Bonnie Robison who had retired in May. He also stated that he had done a great job in the staff review meetings, and felt he would do a great job as head of Plan Review.

(48) 15-08-42(a)(b)(c) Zorn Hotel, Michigan City

Melissa Tupper, RTM Consultants, spoke as proponent. The building had been a brewery, and was being converted to a hotel/spa. The request in variance (a) was to allow the common path of travel of the second floor to exceed the allowed distance. The corridor is a 1-hour rated corridor. The building was to be protected by an NFPA 13 sprinkler system, with fire and smoke detection systems. The proponent stated that the sprinkler system would be a 13R system instead. Following discussion, Commissioner Brown moved to approve with the condition that a 13R system be installed. Commissioner Furnish made the second. It was voted upon and carried. Variance (b) was to allow the existing second floor exits to be less than one third the diagonal as required by code, located 38 feet apart instead of 44 feet. The building is sprinklered throughout. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (c) was to allow the existing stair to have a clear width of 40 inches instead of 44 inches as required by code. The combined occupant load of the hotel and

tower building served by the stair exceeds 49. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(49) 15-09-43 Holy Family Episcopal Church Addition & Renovation, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. The proponent stated the facility was actually an A-3 occupancy, not an A-2 as listed in the application. A classroom addition will be constructed, as well as a small administrative addition. The request is to be allowed to use folding partitions to serve as moveable walls, increasing the flexibility of use in the area. The partitions would be on noncombustible construction with a Class-A fabric finish. Following discussion, Commissioner Hoch moved to approve with the notation that the proponent changed the facility to an A3 occupancy during the discussion. Commissioner Richard made the second. It was voted upon and carried.

(50) 15-09-44 Bluffton Harrison Elementary School Addition & Renovation, Bluffton

Melissa Tupper, RTM Consultants, spoke as proponent. The proposed additions to the school will require the closing of some exits during construction. The request was to allow temporary exits during this period. Exit lighting and signage will be provided, the fire alarm systems will remain fully operations for the occupied areas of the building, and fire drills will be conducted to familiarize students and staff with the temporary egress plan. Following discussion, Commissioner Brown moved to approve with the condition that the variance was valid until February 28, 2016. Commissioner Hoch made the second. It was voted upon and carried.

(51) 15-09-45(a)(b)(c) Balmoral Golf Clubhouse, Fishers

Ed Rensink, RTM Consultants, and Diane Eaton, owner, spoke as proponents. The request in variance (a) was to allow the existing exits on the first floor to be closer than the code-required half the diagonal. The facility had previously been a single-family home. The live load capacity had been checked and will meet requirements. The proponents also noted that a 13D system was being installed, as well as a smoke alarm and fire detection system with manual fire alarm pulls. The kitchen is being removed, and all food service will be catered. The third floor will be a bridal prep area. Ramps will provide accessibility into the building. Variance (b) was a request for 0 points for vertical openings Variance (c) was to request 11.5 points for the sprinkler system. Brian Lott, Fishers Fire Department, was present and did not object to the variances. Following discussion, Commissioner Brown moved to approve variances (a), (b), and (c) with the conditions that the 13D system be inspected per NFPA 25 once a year, that drywall be installed on the ceiling of the basement,

and that a score of 0 on the vertical openings and 11.5 for sprinklers be granted. Commissioner Richard made the second. It was voted upon and carried.

(52) 15-09-47 Towne Place Suites by Marriott, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The elevator for the five-story hotel will not have a standby power generator. An area of refuge will be provided at each upper floor level landing and in the basement of the building in each of the two stair enclosures. The proponent stated a transfer switch will be provided, and a contract with a service for a standby generator in emergencies. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried, with one nay.

(53) 15-09-50 Pizza Hut, Paoli

George Walsh, architect, spoke as proponent. Both restrooms in the building are non-compliant. The request was to allow the owner to make one restroom a unisex, accessible restroom and the other a unisex, non-accessible restroom due to space constraints. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(54) 15-09-51 725 Franklin Street Apartments, Michigan City

Lisa DeRoo, Christopher Jordan Land Company, spoke as proponent. The request was to omit the required sprinkler system. The building does not have a sufficient existing water supply for a sprinkler system, and to move lines and upgrade mains would be cost-prohibitive in the historic district. Each apartment shall have a fire alarm and a fire stop canister over each stove. Per a request from Plan Review, the stairwells would be enclosed. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with two nay.

(55) 15-09-52 Pole Barn, Indianapolis

Nancy Long and Marcus Krouch, A-1 Expeditors, spoke as proponents. A pole barn was to be used for equipment storage. The request is to allow the building to not comply with having a fire hydrant within 400 feet of the building. The barn has metal walls and roof, no heat, no water, and no employees are stationed inside. It is used to house equipment for the trucking firm and provide shelter when doing minor repairs during inclement weather.

There is overhead lighting. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(56) 15-09-56 Enclosed Covered Structure, Indianapolis

Chase Cooper and Joan Gardner, S&B Construction, spoke as proponents. The request was to be allowed to not fully comply with the requirement that all points of the building must be within 400 feet of a fire hydrant. The front of the building was within 390 feet, and the back within 510 feet. Commissioner Brown moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

(57) 15-09-62 Rocket 88 Doughnuts, Indianapolis

No proponent came forward for questions. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

*Approved by Chairman Hawkins for late filing, not processed by staff. Therefore, agency staff is not able to ensure the accuracy of the application. (Category L)*

(58) 16222 Asylum Haunted House, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The variance application had been filed, and had "turned green". The proponent then changed the application, and was then thrown back into incomplete awaiting acknowledgements. The event owner will be parking four trailers by an existing building which will be used to create his haunted house. Employees, three being EMT's, are trained in the Asylum's safety procedures and protocols. There will be fire alarms and smoke detectors, and fire extinguishers. Jeff Dean, City of Indianapolis, stated Carrie had sent them everything. He asked if this variance would be "forever" or if it would be a single season variance. Kevin Troy, Fire and Building Code Enforcement, also spoke, noting that if the trailers were semi-trailers, they were not covered as a Class One structure. Following discussion, Commissioner Hoch moved to approve with the condition that the variance was for a single use and would expire November 30, 2015, and that occupancy would be no more than 100 persons at one time. Commissioner Scheurich made the second. It was voted upon and carried with one nay.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 2:30 p.m. It was called back to order at 2:38 p.m.

(59) 16262 TNT Fireworks Distribution Center, Gas City

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow an open-air canopy for the dock between buildings to not comply with separation distance and fire-resistance rating required by code. The buildings will be protected throughout by sprinklers, as will the structurally independent canopy. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(60) 16295(a)(b) O'Reilly's Irish Bar and Restaurant, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow a fire pit within twelve feet of the building. The pits will be located on hardscape and will burn gas and no wood or other materials. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the building to exceed allowable area. A 2-hour fire barrier will be provided to separate the new tenant space from the remainder of the building. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

(61) 16296 Grace College, Winona Lake

Ed Rensink, RTM Consultants, spoke as proponent. A 3-story, unenclosed exit access stair will be provided in each of the two residence wings. A draft curtain with close-spaced sprinklers will be provided at each of the two floor openings for each stair, and a corridor smoke detection system will be provided throughout the building. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(62) 16297 825 Bar and Billiards, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to be allowed to designate the restrooms from the restaurant as "family" restrooms, and use the restrooms from the adjacent bar to comply with fixture count. Both facilities are owned by the same person, thereby complying with code requirements. Following discussion, Commissioner Von Deylen moved no variance required, with the second by Commissioner Hoch. It was voted upon and carried.

- (63) 16298 Indiana Tree Service Storage Building, Indianapolis

Nancy Long and Marcus Krouch , A-1 Expeditors, spoke as proponents. The request was to allow the building to exceed the 400 foot distance to a fire hydrant code requirement. The owner had been the victim of vandalism and had constructed a wood frame/ metal skinned building to protect his equipment. There is no heat or water, and no employees are assigned to the building. Lights are provided. Following discussion, Commissioner Brown moved to approve with the condition that a fire access road be constructed within 150 feet of any point of the building. Commissioner Hoch made the second. It was voted upon and carried.

- (64) 16301 Historic Meridian Park Shelter, Indianapolis

Tim Callas, J&T Consulting, and Jon Bennett, JT Designers, spoke as proponents. A park shelter was being constructed in a neighborhood green space. Code Enforcement wanted restroom facilities to be provided in the pocket park. The request was to delete the plumbing fixtures. The park is to serve the neighborhood residents, all of whom would be able to use their home toilets. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

- (65) 16302(a)(b)(c)(d) Annex on 10<sup>th</sup>, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to omit the maneuvering clearance on the inside of the doors required by a new accessibility standard. The apartments comply with Fair Housing Act, which does not required this clearance. The building will be sprinklered with an NFPA 13 system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was to omit the drain pans for apartment air conditioning condensing units. The floors are to be tiled and a floor drain provided. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to omit the elevator lobby 2-way communication system. The elevator has back-up power, and most people carry cell phones to call for help if needed. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was a request to allow the fire pump to be located in the same room as the incoming domestic water lines. This is prohibited by code. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(66) 16303 The Tap, Indianapolis

Ed Rensink, RTM Consultants, with Jeremy Myers and Nathan Finney, owners, spoke as proponents. The request was to omit a ceiling to be installed beneath sanitary sewer lines over a dining area in the tenant build-out. The drain piping is newly installed, and serves the apartments on the second floor. The owners were due to open within the month. Following a lengthy discussion of possible solutions, Commissioner Von Deylen moved to approve a 45-day variance to allow the owners to provide a solution to their issue in time to open, with the understanding they were to return and have the solution approved by the Commission. It was seconded by Commissioner Hoch, voted upon, and carried.

(67) 16305 Community Physicians Network, Indianapolis

Scott Perez, Arxtheon Consulting, spoke as proponent. The local building official had cited the facility for not complying with the 30"x30" maintenance area required for mechanical equipment in attics. The trusses are 24 inches on center, making compliance difficult. The contractor had built platforms in the attic to provide maintenance space, and the request was to allow this solution. The local building official does not oppose them. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(68) 16307(a)(b) Lafayette Banquet Hall, Indianapolis

Melissa Pupper, RTM Consultants, Kelly and Reyes Garcia, owners, spoke as proponents. The facility, previously a thrift store, had been cited as a change of use during a State inspection. The building is undergoing a Chapter 34 evaluation, and the request is for +15 points in the Fire Safety column, +25 points in the Means of Egress Column and +25 points in the General Safety column. The first floor is changing to a banquet hall, and the second floor is to be storage. The owners have installed a fire detection system and a monitored fire alarm system. Maximum travel distance is 110 feet. Following discussion, Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was a request to allow an existing 8" CMU wall in lieu of a structurally independent 3-hour fire wall. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(69) 16308 Open Society Coffee Bar & Restaurant, Indianapolis

Scott Perez, Arxtheon Consulting, spoke as proponent. The request was to allow part of the kitchen and refrigerator/freezer storage areas to be located in the basement of the

restaurant to handle work overflow. The main kitchen is located on the first floor. Following discussion of accessibility issues, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(70) 16311(a)(b) Darrin's Coffee, Zionsville

Carrie Ballinger, RTM Consultants, spoke as proponent. The request in variance (a) was to allow one of the two public restrooms to be accessed through a storage area in the existing facility. Josh Frost, Zionsville Fire Department, noted that he would not object if a marked, clear space route was provided. Commissioner Jordan moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. The proponent requested variance (b) be tabled.

(71) 16317(a)(b)(c)(d) Speedway Indoor Karting, Speedway

Carrie Ballinger, RTM Consultants, spoke as proponent. Variance (a) was to allow a window in a fire wall by the front office. They would be using a Tyco window sprinkler system. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Commissioner Von Deylen abstained. Variance (b) was to allow the project to exceed allowable area. The building is fully sprinklered, and an outside company will do safety and emergency management training for employees. Four exits discharge directly to the exterior from the track area. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Von Deylen abstained. Variance (c) was to allow gasoline powered go-karts inside the facility. There will be a maximum of 22 karts indoors with a fuel tank capacity of 2.9 gallons. Refueling will be done outdoors where the gasoline is stored. Continuous mechanical exhaust ventilation is provided, and fire extinguishers are provided throughout the track area. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Von Deylen abstained. Variance (d) was to allow the use of gates in the track area which do not fully comply with the requirements for doors. Swinging gates will be in the 20" high track barriers on all sides of the track, and drivers may step over the barriers or go through the gates to reach an exterior exit. In emergencies, the employees will open gates and assist drivers. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Von Deylen abstained.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 4:37 p.m. It was called back to order at 4:47 p.m. Commissioner who remained were Brown, Furnish, Mitchell, Von Deylen, Richard, Jordan, Scheurich, Goeden and Hawkins.

## Incomplete Variances

*The following applications were incomplete at the time of the meeting, and had not yet been assigned a variance number or reviewed. At the discretion of the Chairman, these applications were added to the agenda and heard.*

Over thirty days

### 16090 Georgia Reeses, Indianapolis

Chairman Hawkins explained that, according to code, variance applications which had been in the system for more than ninety days are to be put on the agenda whether complete or not. This had been filed in June, and no further action by the proponent had taken place. Commissioner Von Deylen moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

Late filed, incomplete

### 16149 Smith House Smoke Detectors, Bloomington

The application was missing the owner affirmation and some application information. No proponent appeared to answer questions. The application was a request to allow the use of battery operated smoke detectors in the halls outside of the bedrooms in lieu of hardwired detectors. Hardwired detectors were installed in the bedrooms. Jim Gerstbauer, Monroe County Building Official, spoke in favor of the variance. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

### 16151 Aster Place Assisted Living, Lafayette

The application was withdrawn by the proponent.

### 16199 Proposed Additions to IBC Coatings, Lebanon

Tim Callas, J&T Consulting, spoke as proponent. The building was found to be over area for construction type, and the 3-hour masonry wall does not comply with requirements for a fire wall in its entirety. The building will be sprinkler throughout with an NFPA 13 system, with close spaced sprinklers six foot on center along the masonry wall. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16225(a)(b)(c)(d) Code Wing Vertical Expansion, Elkhart

No proponent was present. They had been contacted by Cecilia Ernstes and were aware of the meeting. Commissioner Von Deylen moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

16237(a)(b)(c)(d) City Way Phase II Building A, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, asked that it be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16281 Williamsburg Phase 1, Ft. Wayne

No proponent was present. Commissioner Hoch moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16288 McKenney-Harrison Elementary, Auburn

No proponent was present. Commissioner Von Deylen moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

16306 Industrial Plating Inc. Water Treatment Addition, Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit sprinklers in the H-4 area. There was a concern of overflow of chemicals stored in open-topped tanks should there be sprinkler flow. Commissioner Furnish moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16310 Lids Corporate Headquarters, Zionsville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The steel beams which support the shaft are wrapped in gypsum board. Local authorities say the 2-hour supporting construction for the shafts is not maintained. The proponent noted there is an amendment which allows shafts to bear on concrete slab supported by unprotected steel. The building is also sprinklered with an NFPA 13 system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Snyder. Josh Frost, Zionsville

Fire Department, spoke to the members concerning the steel beams being exposed on either side of the shaft. Following further discussion, it was voted upon and carried.

At this time, Commissioner Von Deylen leaves the meeting. Commissioners remaining are Brown, Furnish, Mitchell, Richard, Jordan, Scheurich, Goeden, Snyder and Hawkins.

16313(a)(b) Girl Scouts of Central Indiana Headquarters, Indianapolis

No proponent was present. Commissioner Snyder moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

16108 Second Floor Renovations to Haro Building

Christina Collester, RTM Consultants, spoke as proponent. The proponent had promised at the September meeting when the variance had been approved, that they would provide the acknowledgements to clear the variance application. There had been no submission to date. The proponent stated she was having trouble with getting the affirmations, and asked if she could supply a signed paper application. Chairman Hawkins stated he would accept a wet signature. The proponent then asked if she could supply a scanned signature instead. Commissioner Hoch moved to reapprove the variance based upon a two-week extension from September 1, 2015, for the proponent to supply the signatures. Commissioner Scheurich made the second. It was voted upon and carried.

16316 Ivy Tech Bloomington Additions and Renovation, Bloomington

Christina Collester, RTM Consultants, spoke as proponent. The request was to omit sprinklers beneath the open stairways. The stairs are non-combustible, and the ceiling sprinklers have been designed with the stairway obstruction considered. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Goeden. It was voted upon and carried.

16318 Children's Museum, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. A Type-1 hood system will not be provided for the new pizza conveyer. The fire official had not acknowledged the variance, but the proponent stated she had spoken with her the previous day. Margie Bovard, Indianapolis Fire Department, was present at the meeting. Also addressing the

Commission was Jeff Dean, City of Indianapolis, who requested a copy of the submitted paperwork for the conveyer. Margie Bovard stated she will submit the affirmation on Tuesday.

4. Discussion and Commission actions on Petition for Review (Timely filed unless otherwise noted)

Hampton Inn & Suites  
Order – Muncie Fire Department

Studio 10 Cinemas, Shelbyville  
Order – Fire and Building Code Enforcement

Beck's Superior Hybrids, Atlanta  
Order – Elevator Safety Division

Commissioner Mitchell moved to grant the Petitions for Review, with the second by Commissioner Brown. It was voted upon and carried.

5. Discussion and Possible Commission Action

Ebenezer United Methodist Church  
Administrative Cause No. DHS-1511-FPBSC- 007  
Non-Final Order of Dismissal

Battle Ground United Methodist Church  
Administrative Cause No. DHS-1514-FPBSC-009  
Non-Final Order of Dismissal

Commissioner Mitchell moved affirm the Non-Final orders of Dismissal. Commissioner Jordan made the second. It was voted upon and carried.

Stewart Furniture Building  
Administrative Cause No. 14-16  
Notice of Second Non-Final Oder

An agreement had been signed which stated that once they had vacated the building, it would no longer be a Class One structure. The Commission did not approve the agreement and asked that it be reworded. The indicated language had been removed except for Section 7 where language concerning the filing of a CDR implied that it may not be a Class One structure. Also, to some extent, the language appeared in Section 11 and 12. A discussion, which included Jim Schmidt, was held on the implications of a building no longer being a Class One structure if it is simply vacated. Options open to the Commission were also discussed. Commissioner Furnish then moved to table, with the second by Commissioner Scheurich. It was voted upon and carried. Chairman Hawkins directed that the Notice of Second Non-final order be placed on the October agenda.

6. Discussion and Commission actions on L. M. Zeller et al., Administrative Cause No. 14-12

Briefs had been requested, and both parties had made submissions. At the request of Chairman Hawkins, Jim Schmidt listed the options available to the Commissions for handling the Administrative Cause. A discussion of the information within the briefs was held before Commissioner Brown moved to affirm, with the second by Commissioner Mitchell. It was voted upon and carried.

7. Comments – Chairman Hawkins

Chairman Hawkins had no additional comments.

8. Adjournment

Chairman Hawkins then adjourned the meeting at 5:46 p.m.

APPROVED \_\_\_\_\_

John Hawkins, Chairman